

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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WILLIAM H. OTIS,

Plaintiff,

v.

**ORDER**  
**CIVIL FILE NO. 05-489 (MJD/AJB)**

CHARLES B. KNUDSEN,  
CHARLES B. KNUDSEN TRUST,  
JOHN CORSON, CINDY LOU  
BERGE, HAROLD A. BERGE, ROSE  
M. BERGE, AND FIRST  
SOUTHEAST BANK

Defendants.

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William H. Otis, pro se, Counsel for Plaintiff.

Daniel A. Haws and Stacy E. Ertz, Murnane Brandt, PA, Counsel for Defendants  
Charles B. Knudsen and Charles B. Knudsen Trust.

Steven M. Corson, Corson Law Offices, LLC, Counsel for Defendant John  
Corson.

Douglas A. Boese, Kari C. Stonelake-Hopkins, Robert G. Benner, and William J.  
Ryan, Dunlap & Seeger, PA, Counsel for Defendants Cindy Lou Berge, Harold A.  
Berge, Rose M. Berge, and First Southeast Bank.

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This matter comes before the Court upon the Report and Recommendation  
of United States Magistrate Judge Arthur J. Boylan dated August, 29, 2008

[Docket No. 129]. Plaintiff William H. Otis filed an objection to the Report and Recommendation [Docket No. 131]. Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court **ADOPTS** the Report and Recommendation.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(b) for repeated failure to prosecute, comply with federal and local rules of civil procedure, and obey a court order.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date November 17, 2008

s/ Michael J. Davis  
Michael J. Davis  
Chief Judge  
United States District Court